

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80487 of 2019

Arising Out of PS. Case No.-576 Year-2018 Thana- COMPLAINT CASE District- Jamui

VINOD KUMAR @ BINOD KUMAR Son of Late Vishundev Mahto
Resident of Village - Shinghchak, P.S.- Chanan, District- Lakhisarai,
Presently working at Administrative Office Head Quarter, D.G.V.R.F.
(G.R.E.F.), New Delhi Cantt, Pin- 110010

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangeeta Kumari Wife of Vinod Kumar @ Binod Kumar, D/O - Suresh Prasad Gupta Resident of Village - Mahisaudhi Chauk, P.S.- Jamui, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 498(A) of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Complainant has filed a complaint case stating therein that on 14.04.2012, the marriage of complainant was solemnized with petitioner and from said wedlock, one son was also born and on 15.04.2013, petitioner and other family members assaulted and tortured her and there was demand of



rupees five lacs and for non-payment of which, she was being tortured. On the basis of statement of inquiry witnesses and SA of complainant, court below found prima facie case to be made out against petitioner and took cognizance and issued summons for his appearance to face the trial. As such, present anticipatory bail petition is filed.

It is submitted that petitioner is innocent and allegation of torture, assault and demand of dowry is false and concocted. It has further been submitted that petitioner filed matrimonial case for restitution of conjugal life in which complainant appeared but did not contest and the case was decided ex parte and even thereafter she did not start living conjugal life with petitioner as such petitioner was forced to file a divorce case which was allowed on 22.06.2019 and thereafter present case was filed.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.576 (C)



of 2018 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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